

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | INVENTOR NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|--------------------------|---------------------------|
| 09/159,520 | 09/23/98 | ANDERSON | Z HW-106-CIP |

ALBERT PETER DURIGON
20 EUSTIS STREET
CAMBRIDGE MA 02140-2387

NOT ASSIGNED

2743

DATE MAILED:

10/08/98

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant must file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.105(a). If any of items 1 or 3 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Void date: 12/14/1998. Submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming. 12/14/1998. Cancellation date: 09/15/98. 01 FEB 1999. Additional claim fees of \$130.00 or _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to Attention: Box Missing Parts.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

COPY TO BE RETURNED WITH RESPONSE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Anderson Examiner :
Serial No. : 09/159,520 Art Unit : 2743
Filed : 09/23/98 Atty's Doc : HW-106-CIP
For : DIGITAL SOUND RELAXATION AND SLEEP-INDUCING SYSTEM
AND METHOD

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**


This is in response to the Office Action dated 10/08/98, which response is due on or before 12/08/98.

By the above-identified office action, it was indicated that the declaration and power of attorney for the above-captioned application was missing, and the non-small entity surcharge of \$130.00 was indicated as the total amount owed by the applicant. For a "small entity," the correct surcharge under 37 CFR 1.16(e) is \$65.00, so that the surcharge of \$65 is now believed to be due and owing, instead of the \$130.00 apparently erroneously indicated in the above-identified Office Action. A check for \$65.00 is accordingly enclosed herewith, together with a copy of the above-identified Office Action and the small entity status form as filed in the above-captioned invention. Please debit or credit our deposit account 04-1945 for any remaining under- or overpayment.

Respectfully submitted,

ANDERSON ET AL

by:


Albert Peter Durigon
Registration No. 30,049
Attorney for Applicants

CERTIFICATE OF MAILING

Date of Deposit 3 Dec 1998
I hereby certify that this paper(s) and/or fee(s)
is being deposited with the U.S. Postal Service in first class mail in an
envelope addressed to Honorable Commissioner of Patents and
Trademarks, Box Missing Part, Washington, D.C., 20231, on the date
of deposit as indicated above.

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